

CHAPTER 256

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 22-1014

BY REPRESENTATIVE(S) Jodeh, Cutter, Duran, Hooton, Kipp, Lindsay, Michaelson Jenet, Mullica, Ortiz, Roberts, Valdez A., Young, Bird, Exum, Sullivan, Garnett;
also SENATOR(S) Pettersen, Buckner, Fields.

AN ACT

CONCERNING THE CREATION OF AN EPILEPSY AWARENESS SPECIAL LICENSE PLATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 42-3-265 as follows:

42-3-265. Special plates - epilepsy awareness. (1) ON JANUARY 1, 2023, OR WHEN THE DEPARTMENT IS ABLE TO ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

(2)(a) THERE IS HEREBY ESTABLISHED THE EPILEPSY AWARENESS LICENSE PLATE.

(b) THE DEPARTMENT SHALL USE A DESIGN FROM AN ORGANIZATION DESIGNATED UNDER SUBSECTION (3)(a) OF THIS SECTION, BUT THE DESIGN MUST CONFORM TO DEPARTMENT STANDARDS AND BE APPROVED BY THE DEPARTMENT.

(3)(a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT SHALL DESIGNATE AN ORGANIZATION TO QUALIFY APPLICANTS TO BE ISSUED THE EPILEPSY AWARENESS LICENSE PLATE. THE ORGANIZATION MUST:

(I) BE HEADQUARTERED IN COLORADO;

(II) HAVE BEEN IN EXISTENCE FOR AT LEAST FIVE YEARS;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(III) BE A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION;

(IV) PROVIDE EDUCATION TO THE PUBLIC ABOUT EPILEPSY, SEIZURES, AND SEIZURE FIRST AID CARE;

(V) OFFER PROGRAMS FOR YOUTH AND ADULTS WITH EPILEPSY; AND

(VI) FUND SERVICES AND SUPPORT FOR THOSE AFFECTED BY EPILEPSY IN COLORADO.

(b) A PERSON MAY APPLY FOR AN EPILEPSY AWARENESS LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE ORGANIZATION DESIGNATED UNDER SUBSECTION (3)(a) OF THIS SECTION CONFIRMING THAT THE APPLICANT HAS MADE A DONATION TO THE ORGANIZATION. THE ORGANIZATION MAY ESTABLISH A MINIMUM DONATION AMOUNT TO QUALIFY FOR THE LICENSE PLATE. THE ORGANIZATION SHALL USE EACH DONATION TO SUPPORT THOSE AFFECTED BY EPILEPSY IN COLORADO.

(c) TO QUALIFY APPLICANTS TO HAVE AN EPILEPSY AWARENESS LICENSE PLATE, THE ORGANIZATION DESIGNATED UNDER SUBSECTION (3)(a) OF THIS SECTION MUST FILE WITH THE DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

(4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

(5) AN APPLICANT MAY APPLY FOR PERSONALIZED EPILEPSY AWARENESS LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6)(a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF EPILEPSY AWARENESS LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a) AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (5) MUST PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6)(b) TO RENEW THE PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND FEES.

SECTION 2. In Colorado Revised Statutes, **amend** 42-3-312 as follows:

42-3-312. Special license plate surcharge. In addition to any other fee imposed by this article 3, an applicant for a special license plate created by rule in accordance with section 42-3-207, as the section existed when the plate was created, or special license plates issued pursuant to sections 42-3-211 to 42-3-214, sections 42-3-217

to 42-3-218, sections 42-3-221 to 42-3-234, sections 42-3-237 to 42-3-258, and ~~section 42-3-260~~ SECTIONS 42-3-260 AND 42-3-265 shall pay an issuance fee of twenty-five dollars; except that the fee is not imposed on special license plates exempted from additional fees for the issuance of a military special license plate by section 42-3-213 (1)(b)(II). The department shall transfer the fee to the state treasurer, who shall credit it to the licensing services cash fund created in section 42-2-114.5.

SECTION 3. Appropriation. (1) For the 2022-23 state fiscal year, \$29,671 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation consists of \$23,940 from the general fund and \$5,731 from the license plate cash fund created in section 42-3-301 (1)(b), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) \$20,772 from the general fund for DRIVES maintenance and support;

(b) \$3,168 from the general fund for the purchase of information technology services; and

(c) \$5,731 from the license plate cash fund for use by vehicle services for license plate ordering.

(2) For the 2022-23 state fiscal year, \$3,168 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(b) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of revenue.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 26, 2022